

AMENDED IN ASSEMBLY JULY 5, 2012

AMENDED IN SENATE APRIL 23, 2012

**SENATE BILL**

**No. 1113**

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**Introduced by Senator Evans**

February 17, 2012

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An act to ~~amend~~ *add* Section ~~19829.5~~ of 18006 to the Government Code, relating to ~~memoranda of understanding~~ *public employment*.

LEGISLATIVE COUNSEL'S DIGEST

SB 1113, as amended, Evans. ~~Memoranda of understanding: fiscal analysis. Public employment: salary ranges.~~

~~Under the Ralph C. Dills Act, a provision of a memorandum of understanding reached between the state employer and a recognized employee organization representing state civil service employees that requires the expenditure of funds does not become effective unless approved by the Legislature in the annual Budget Act. Existing law provides that the Legislative Analyst has 10 calendar days from the date the tentative agreement is received to issue a fiscal analysis to the Legislature. Existing law provides that the memorandum of understanding is not subject to legislative determination until either the Legislative Analyst has presented a fiscal analysis of the memorandum to the Legislature or until 10 calendar days have elapsed since the memorandum was received by the Legislative Analyst. Existing law requires each memorandum of understanding submitted by the Department of Personnel Administration to the Legislative Analyst to include the department's analysis of costs and savings.~~

Existing law establishes the Department of Personnel Administration for purposes of managing the nonmerit aspects of the state's personnel system. *Existing law also requires the Department of Personnel*

*Administration to establish and adjust salary ranges for each class of position in the state civil service, subject to specified merit limits and except as specified. Existing law requires the salary range to be based on the principle that like salaries shall be paid for comparable duties and responsibilities.* The 2011 Governor's Reorganization Plan for state human resources functions abolishes the Department of Personnel Administration, and transfers the functions and duties performed by the Department of Personnel Administration to the Department of Human Resources.

~~This bill would require the Department of Human Resources, for each memorandum of understanding submitted to the Legislative Analyst, to include within the analysis of savings and costs, the financial obligation that would be required for excluded employees related to the bargaining unit as a result of the memorandum. The bill would make conforming changes consistent with the 2011 Governor's Reorganization Plan for state human resources to address salary compaction and parity concerns. The bill would also require, when it is determined that revenues do not allow the department to implement a salary determination to increase any excluded and exempt employee salaries in a given year, the department to provide to the Legislature existing data on the salary determination, including all salary compaction and parity determinations for supervisory and managerial employees.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 18006 is added to the Government Code,
- 2     to read:
- 3     18006. (a) In determining salaries for supervisory and
- 4     managerial employees, the Department of Human Resources shall
- 5     address salary compaction and parity concerns.
- 6     (b) When it is determined that revenues do not allow the
- 7     department to implement a salary determination to increase any
- 8     excluded and exempt employee salaries in a given year, the
- 9     department shall provide to the Legislature existing data on the
- 10    salary determination, including all salary compaction and parity
- 11    determinations for supervisory and managerial employees.
- 12    ~~SECTION 1. Section 19829.5 of the Government Code is~~
- 13    ~~amended to read:~~

1     ~~19829.5.—(a) The Department of Human Resources shall~~  
2     ~~provide a memorandum of understanding pursuant to Section~~  
3     ~~3517.5 to the Legislative Analyst who shall have 10 calendar days~~  
4     ~~from the date the tentative agreement is received to issue a fiscal~~  
5     ~~analysis to the Legislature. The Legislative Analyst may prioritize~~  
6     ~~the preparation of a fiscal analysis or report under this subdivision~~  
7     ~~among other workload, including the submission of multiple~~  
8     ~~memoranda of understanding. The memorandum of understanding~~  
9     ~~shall not be subject to legislative determination until either the~~  
10    ~~Legislative Analyst has presented a fiscal analysis of the~~  
11    ~~memorandum of understanding or until 10 calendar days has~~  
12    ~~elapsed since the memorandum was received by the Legislative~~  
13    ~~Analyst.~~  
14    ~~(b) Each memorandum of understanding submitted by the~~  
15    ~~department to the Legislative Analyst shall include the~~  
16    ~~department's analysis of savings and costs, including the financial~~  
17    ~~obligation that would be required for the excluded employees~~  
18    ~~related to the bargaining unit as a result of the memorandum of~~  
19    ~~understanding.~~